

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RIVIERA DISTRIBUTORS, INC.,

Plaintiff,

v.

Case No. 09-11380
Honorable Patrick J. Duggan

RDI of MICHIGAN, LLC,

Defendant.

**ORDER DENYING AS MOOT DEFENDANT/COUNTER-PLAINTIFF'S
MOTION FOR STAY**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on November 5, 2010.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

This lawsuit arises from a distributorship agreement between Plaintiff Riviera Distributors, Inc. ("Riviera") and Defendant RDI of Michigan, LLC ("RDI"). Riviera filed its complaint against RDI on April 13, 2009. RDI filed a counter-complaint against Riviera on May 5, 2009. Presently before the Court is RDI's motion, filed September 2, 2010, seeking a stay of this case pending resolution of RDI's motion to set aside a stipulated order of dismissal in a related case pending before the Honorable Marianne O. Battani, *Riviera Distributors, Inc. v. Universal Video, Inc. et al.*, No. 06-15629 ("Riveriera/UVI lawsuit"). After successfully moving for more time to respond, Riviera filed a response to RDI's motion for a stay on September 30, 2010. RDI filed a reply

brief on October 21, 2010.

On October 28, 2010, Judge Battani held a hearing with respect to RDI's motion to set aside the dismissal in the Riviera/UVI lawsuit. On the same date, Judge Battani issued an order denying the motion. RDI's motion to stay in this action, therefore, is moot.

Accordingly,

IT IS ORDERED, that Defendant/Counter-Plaintiff, RDI of Michigan, LLC's "Motion for Stay Until Ruling on Motion to Set Aside Stipulated Order of Dismissal with Prejudice Presently Pending in the Matter of *Riviera Distributors, Inc. v. Universal Video, Inc., et al.*, Case No. 06-15629 before Honorable Marianne O. Battani is **DENIED AS MOOT**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:
Counsel of Record